THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.1558 of 2006

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Dated:28.01.2006

Between:

Medapati Kodanda Ramachandra Reddy, S/o. Sathi Reddy,
R/o. P&T Colony, Plot No.83, Kakinada-3
East Godavari Dist.

..... PETITIONER

AND

Special Collector, Land Acquisition -Indira Sagar Project,
Rajahmundry, East Godavari District, and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.1558 of 2006

ORDER:

The petitioner is the owner of agricultural land admeasuring Acs.10.38 cents in Survey No.128/1B of Jaggampeta Village. The land was acquired for Indira Sagar Project. The petitioner filed the instant writ petition challenging Award No.2/2005, dated 05.12.2005, passed by the second respondent herein under the Land Acquisition Act, 1894 (for short 'the Act'), *inter alia,* on the ground that the second respondent did not conduct enquiry before passing the award as contemplated under the provisions of the Act. It is mainly contended that the petitioner sent a representation, which was forwarded by the first respondent on 06.12.2005, and without taking into consideration the correct value of the trees standing on the land acquired the said award was passed.

The learned Counsel for the petitioner while taking this Court through the copy of the award annexed to the writ petition made various submissions criticizing the method and manner adopted by the second respondent in arriving at the value of the land, Oil Palm trees, bore-wells and other constructions on the land. However, after making submissions for some time, having regard to the provisions of Section 18 of

the Act, and also the fact that the petitioner was already paid the compensation amount on 15.12.2005, the petitioner seeks leave of this Court to approach the second respondent for making reference under Section 18 of the Act.

The petitioner is given liberty to file a proper application under Section 18 of the Act before the second respondent within a period of one week from today. As and when the same is filed, the second respondent shall refer the same to the Civil Court under Section 18 of the Act.

The Writ Petition, with the above observations, is disposed of. No costs.

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(V.V.S.RAO, J)

28.01.2006

vs